

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Robert J. Rich
Debra A. Rich
Debtor(s)

Bankruptcy Case No.: 17-10904-TPA
Per April 4, 2018 Proceeding
Chapter: 13
Docket No.: 70 – 60
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 8, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: 1) Fee application needed if fees (including retainer) exceed \$4,000.00.

2) The estimated pool of funds available to be paid to general unsecured creditors (not specially classified) and estimated percentage dividend are revised to \$89,649.80 (100%).

3) Plan confirmation on less than 60 month term contingent on plan being (and remaining) 100% to timely filed unsecured creditors.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

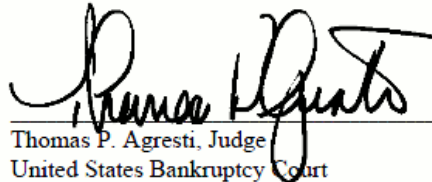
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: April 6, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 7
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Robert J. Rich
 Debra A. Rich
 Debtors

Case No. 17-10904-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: jmar
 Form ID: 149

Page 1 of 4
 Total Noticed: 58

Date Rcvd: Apr 06, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 08, 2018.

db/jdb
 cr
 +Robert J. Rich, Debra A. Rich, 10705 Route 18, Albion, PA 16401-8421
 +Quicken Loans Inc., Stern & Eisenberg, PC, 1581 Main Street, Suite 200, Warrington, PA 18976-3400
 14683570 +Aes/citizens Natl Bank, Po Box 61047, Harrisburg, PA 17106-1047
 14683573 +Aes/national City Bank, Po Box 61047, Harrisburg, PA 17106-1047
 14683575 +Aes/pheaa, Pob 61047, Harrisburg, PA 17106-1047
 14683578 +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
 14683581 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bk Of Amer, Po Box 982238, El Paso, TX 79998)
 14757450 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 14683580 +Barclays Bank Delaware, Po Box 8803, Wilmington, DE 19899-8803
 14683583 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
 14683584 +Capital One, Po Box 30253, Salt Lake City, UT 84130-0253
 14683589 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 14683592 +Citimortgage Inc., Po Box 9438, Gaithersburg, MD 20898-9438
 14700644 +Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915-3019
 14683593 +Citizens One Auto Fin, 480 Jefferson Blvd, Warwick, RI 02886-1359
 14683595 +Community Bank Na, 45-49 Court Street, Canton, NY 13617-1179
 14683596 +Credit Acceptance, Po Box 513, Southfield, MI 48037-0513
 14683599 +Edmanage, Po Box 91388, Raleigh, NC 27675-1388
 14698334 +Fay Heaney, 152 Plesant Valley Drive, Daytona Beach, FL 32114-1191
 14698335 +Harborview Owners Association, PO Box 102, Conneaut, OH 44030-0102
 14683601 +Mohela/dept Of Ed, 633 Spirit Dr, Chesterfield, MO 63005-1243
 14683702 +Santander Consumer Usa, Po Box 961245, Ft Worth, TX 76161-0244
 14683703 +Slc Conduit I Llc, 701 E 60th St N, Sioux Falls, SD 57104-0432
 14683713 +Thd/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
 14683714 +Toyota Motor Credit Co, 240 Gibraltar Rd Ste 260, Horsham, PA 19044-2387
 14716033 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 14685024 +U S Department of Education/MOHELA, 633 Spirit Drive, Chesterfield, MO 63005-1243
 14683718 +United Auto Credit Co, 1071 Camelback St Ste 10, Newport Beach, CA 92660-3046
 14683719 +Us Dep Ed, Po Box 5609, Greenville, TX 75403-5609
 14683723 Usaa Savings Bank, Po Box 47504, San Antonio, TX 78265
 14698345 +Vilas At Spanish Oaks, 3150 NE 36th Avenue, #331, Ocala, FL 34479-3178
 14683724 +Volvo Car Financial Sv, 1 Volvo Dr, Rockleigh, NJ 07647-2507
 14683726 +Volvocarrtl, Volvo Car Financial Services, Mobile, AL 36691
 14683729 +Webbank/dfs, Po Box 81607, Austin, TX 78708-1607
 14683731 +Wffnb Retail, Csc1 Dispute Team, Des Moines, IA 50306

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14683577 +E-mail/Text: ally@ebn.phinsolutions.com Apr 07 2018 01:13:24 Ally Financial,
 200 Renaissance Ctr, Detroit, MI 48243-1300
 14683586 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Apr 07 2018 01:15:14 Capital One Auto Finan,
 3901 Dallas Pkwy, Plano, TX 75093-7864
 14683590 +E-mail/Text: bankruptcycollections@citadelbanking.com Apr 07 2018 01:14:17
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 14683597 +E-mail/PDF: creditonebknofications@resurgent.com Apr 07 2018 01:15:01 Credit One Bank Na,
 Po Box 98875, Las Vegas, NV 89193-8875
 14689259 E-mail/Text: mrdiscen@discover.com Apr 07 2018 01:13:24 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14683598 +E-mail/Text: mrdiscen@discover.com Apr 07 2018 01:13:24 Discover Fin Svcs Llc,
 Po Box 15316, Wilmington, DE 19850-5316
 14683602 +E-mail/Text: bankruptcynotices@psecu.com Apr 07 2018 01:14:20 P S E C U,
 1500 Elmerton Ave, Harrisburg, PA 17110-2990
 14729390 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 07 2018 01:27:31
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14684466 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 07 2018 01:14:48
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 HARRISBURG, PA 17106-7013
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 1500 Elmerton Ave, Harrisburg, PA 17110-2990
 14765319 E-mail/Text: bnc-quantum@quantum3group.com Apr 07 2018 01:13:36
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14683699 +E-mail/Text: bankruptcyteam@quickenloans.com Apr 07 2018 01:14:11 Quicken Loans,
 1050 Woodward Ave, Detroit, MI 48226-1906
 14767690 +E-mail/Text: bankruptcyteam@quickenloans.com Apr 07 2018 01:14:11 Quicken Loans Inc.,
 635 Woodward Avenue, Detroit, MI 48226-3408
 14683706 +E-mail/PDF: gecsedirecoverycorp.com Apr 07 2018 01:14:48 Synch/dks, P.o. Box 965005,
 Orlando, FL 32896-5005
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C/o Po Box 965036, Orlando, FL 32896-0001
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Orlando, FL 32896-5015
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14770056 +E-mail/Text: bncmail@w-legal.com Apr 07 2018 01:14:05 USAA SAVINGS BANK,
C/O Weinstein & Riley P.S., 2001 Western Ave Ste. 400, Seattle, WA 98121-3132
14683728 +E-mail/Text: vci.bkcy@vwcredit.com Apr 07 2018 01:14:05 Vw Credit Inc, 2333 Waukegan Rd,
Deerfield, IL 60015-5508
14683732 +E-mail/Text: WFB.Bankruptcy@cabelas.com Apr 07 2018 01:14:33 Worlds Foremost Bank,
4800 Nw 1st St Ste 300, Lincoln, NE 68521-4463

TOTAL: 23

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Citizens Bank, N.A.
cr Toyota Motor Credit Corporation
14683569 Abn Amro Mortgage Grou
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14683572* +Aes/citizens Natl Bank, Po Box 61047, Harrisburg, PA 17106-1047
14683571* +Aes/citizens Natl Bank, Po Box 61047, Harrisburg, PA 17106-1047
14683574* +Aes/national City Bank, Po Box 61047, Harrisburg, PA 17106-1047
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14683579* +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
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14683582* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bk Of Amer, Po Box 982238, El Paso, TX 79998)
14698329* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bk Of Amer, Po Box 982238, El Paso, TX 79998)
14698328* +Barclays Bank Delaware, Po Box 8803, Wilmington, DE 19899-8803
14683585* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
14698330* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
14683587* +Capital One Auto Finan, 3901 Dallas Pkwy, Plano, TX 75093-7864
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14698331* +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
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14683594* +Citizens One Auto Fin, 480 Jefferson Blvd, Warwick, RI 02886-1359
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14698333* +Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
14683600* +Edmanage, Po Box 91388, Raleigh, NC 27675-1388
14698336* +Mohela/dept Of Ed, 633 Spirit Dr, Chesterfield, MO 63005-1243
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***** BYPASSED RECIPIENTS (continued) *****

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14683704* +Slc Conduit I Llc, 701 E 60th St N, Sioux Falls, SD 57104-0432
14683705* +Slc Conduit I Llc, 701 E 60th St N, Sioux Falls, SD 57104-0432
14683711* +Synch/lowes, Po Box 965005, Orlando, FL 32896-5005
14698340* +Synch/lowes, Po Box 965005, Orlando, FL 32896-5005
14698341* +Synch/sams Club, Po Box 965005, Orlando, FL 32896-5005
14683715* +Toyota Motor Credit Co, 240 Gibraltar Rd Ste 260, Horsham, PA 19044-2387
14683716* +Toyota Motor Credit Co, 240 Gibraltar Rd Ste 260, Horsham, PA 19044-2387
14683717* +Toyota Motor Credit Co, 240 Gibraltar Rd Ste 260, Horsham, PA 19044-2387
14698342* +Toyota Motor Credit Co, 240 Gibraltar Rd Ste 260, Horsham, PA 19044-2387
14683720* +Us Dep Ed, Po Box 5609, Greenville, TX 75403-5609
14683721* +Us Dep Ed, Po Box 5609, Greenville, TX 75403-5609
14683722* +Us Dep Ed, Po Box 5609, Greenville, TX 75403-5609

District/off: 0315-1

User: jmar
Form ID: 149

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Total Noticed: 58

Date Rcvd: Apr 06, 2018

***** BYPASSED RECIPIENTS (continued) *****

14698343* +Us Dep Ed, Po Box 5609, Greenville, TX 75403-5609
14698344* Usaa Savings Bank, Po Box 47504, San Antonio, TX 78265
14683725* +Volvo Car Financial Sv, 1 Volvo Dr, Rockleigh, NJ 07647-2507
14698346* +Volvo Car Financial Sv, 1 Volvo Dr, Rockleigh, NJ 07647-2507
14683727* +Volvocartrl, Volvo Car Financial Services, Mobile, AL 36691
14698347* +Vw Credit Inc, 2333 Waukegan Rd, Deerfield, IL 60015-5508
14683730* +Webbank/dfs, Po Box 81607, Austin, TX 78708-1607
14698348* +Webbank/dfs, Po Box 81607, Austin, TX 78708-1607
14698349* +Wffnb Retail, Cscl Dispute Team, Des Moines, IA 50306
14683733* +Worlds Foremost Bank, 4800 Nw 1st St Ste 300, Lincoln, NE 68521-4463
14683734* +Worlds Foremost Bank, 4800 Nw 1st St Ste 300, Lincoln, NE 68521-4463
14698350* +Worlds Foremost Bank, 4800 Nw 1st St Ste 300, Lincoln, NE 68521-4463

TOTALS: 3, * 145, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 08, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 6, 2018 at the address(es) listed below:

Christopher M. McMonagle on behalf of Creditor Quicken Loans Inc.
cmcmonagle@sterneisenberg.com, bkecf@sterneisenberg.com
James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgrouper@kmlawgroup.com
James P. Valecko on behalf of Creditor Citizens Bank, N.A. jvalecko@weltman.com,
PitEcf@weltman.com
Lawrence W. Willis on behalf of Joint Debtor Debra A. Rich ecf@westernpabankruptcy.com,
urfreshstr@gmail.com
Lawrence W. Willis on behalf of Debtor Robert J. Rich ecf@westernpabankruptcy.com,
urfreshstr@gmail.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7